

IMMIGRANT IS FOUND GUILTY OF ELABORATE IDENTITY FRAUD

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Chinese immigrant was convicted yesterday of making false statements on passport and immigration forms in what prosecutors described as an elaborate scheme to impersonate a dead man.

The defendant, Shi Tian Wu, was accused of stealing the identity of Havelock Woo, who died in New Jersey in 1988, to reap the benefits of his American citizenship.

In finding Mr. Wu guilty after less than four hours of deliberation, the jury in Federal District Court in Manhattan rejected his complicated story that he was born Havelock Woo 75 years ago in New York, moved to China as a young boy and lived there under harsh conditions before returning to the United States in 1992.

Federal prosecutors told the jury that after Mr. Wu assumed Havelock Woo's identity, he began to petition the Immigration and Naturalization Service to allow his family in China to come to the United States as relatives of an American citizen, which would speed the process.

"There is nothing wrong with wanting your family to come here and live with you in the United States," Glen G. McGorty, a federal prosecutor, told the jury this week. "People have been coming to this country for a long time, bringing their families in search of a better life.

"What is wrong, however, and in this case what is illegal, is the way the defendant tried to do it," he said. Mr. Wu had lied to "get ahead of everyone else who was playing by the rules."

Mr. Wu, who insisted that he was Havelock Woo, was convicted of making false statements on passport and immigration documents, and of obtaining a passport to which he was not entitled. The passport, for example, had his picture but Havelock Woo's name, birth date and place of birth.

Mr. Wu was acquitted of a fourth charge of witness tampering. He had been accused of trying to influence a woman he had recruited into his scheme to continue to support his story, even as he was facing trial. He did not testify in the trial, remained impassive as the jury announced its verdicts and had no comment afterward.

His lawyer, Steven M. Statsinger, said, "We are terribly concerned about the impact that the verdict will have on Mr. Wu and his family, and plan to appeal."

Mr. Wu remained free on bond yesterday pending his sentencing in August by Judge Thomas P. Griesa.

Prosecutors did not tell the jury how they believed that Mr. Wu, who was born in 1931 in the Chinese province of Guangdong, chose the deceased Havelock Woo as his target in the identity-theft scheme.

But sometime after he arrived in the United States in 1992, they said, he methodically assumed Havelock Woo's identity, applying for a passport in that name, and even going to court to have his name legally changed.

Mr. Wu's story, as he described it in various documents, was that while in China, he began to call himself Shi Tian Wu, and gave himself a made-up birth date to appear younger. That, he said, was necessary to escape persecution directed at certain Americans who were over the age of 18. He also said his family was treated harshly in the Cultural Revolution of the 1960's.

But Amy K. Orange, another prosecutor, told the jury: "The government does not discount what Mr. Wu and his family went through. But it had nothing to do with the fact that he was an American, because he wasn't."

In two of the more surreal episodes in the trial, Annemari Woo, the widow of the actual Havelock Woo, testified for the government that the defendant was not her husband and that her husband was dead. But the defense called the defendant's wife to testify, and she said she knew him as Havelock Woo.

"The defendant asks you to suspend your common sense," Mr. McGorty said in his summation.